IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5402 OF 2005
IN
CIRIMINAL APPEAL NO. 781 OF 2005

1. Babu Padmanabhan Pujari
2. Sudesh Manikam Nair ..Applicants

Vs.

State of Maharashtra & Anr. ..Respondents

...

Mr. M.K.Kocharekar Advocate for Applicants
Mr. S.R.Shinde,A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 24, 2005

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail. The applicants have been convicted under Section 392 r.w. 34 of IPC and sentenced to five years imprisonment. The learned advocate for the applicants has pointed out that both the applicants have undergone more than four years of imprisonment

and now less than one year of imprisonment remains. He has further pointed out that appeal is not likely to be heard in next few months and hence, bail may be granted to the applicants.

3. The learned A.P.P. has stated that the applicants are involved in one other case, however, in the said case, the applicants are on bail. Looking to the fact that applicants have completed more than four years of imprisonment out of five years imprisonment imposed on them, I am inclined to grant them bail.

4. Each of the applicants i.e. applicant no.1-Babu Padmanabhan Pujari and applicant no.2-Sudesh Manikam Nair, to be released on bail of Rs.20,000/- each with one or two sureties to make up that amount. During the pendency of the appeal, the applicants shall report on every Sunday to Bandra Police Station.

5. Application is disposed of.

[V.K.TAHILRAMANI,J.]